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Attorneys for Plaintiff
 John D. Mr. Villa, Jr.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

JOHN D. VILLA, JR.,

Plaintiff,

vs.

LINDA ROWE, et al.,

Defendants.

No.: C 07-01436 WHA

PLAINTIFF'S F.R.C.P. RULE 26(a)(3) PRE-TRIAL DISCLOSURES

Hearing Date: July 5, 2011
 Place: Courtroom 9
 Amd. Compl. Filed: November 30, 2007
 Trial Date: July 18, 2011

Honorable William H. Alsup

Plaintiff John Villa in compliance with the court's Guidelines for Trial and Final Pretrial conference and Rule 26(a)(3) submits his list of witnesses and exhibits:

1. Plaintiff John Villa
2. Defendant Jennifer Swiney
3. Defendant Linda Rowe
4. Defendant Bhawana Jain
5. Custodian of Records for California Department of Prisons for Plaintiff's records (unless stipulated to)
6. Vicki Fowler, R.N.
7. Nurse Reallon
8. Dr. Williams

1 9. Dr. Rene Salazar, M.D. – Dr. Salazar will testify in accord with his
2 declaration filed in support of Plaintiff's motion for summary judgment.

3 10. Terry Eli Hill, M.D. – Dr. Hill will testify in accord with his declaration filed
4 in support of Plaintiff's motion for summary judgment.

5 **Documents:** Documents that the Plaintiff may use to support his claims include those
6 previously sent to Defendants as an exhibit list (attached).

7
8 DATED: June 20, 2011. /s/ James W. Wood

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ATTACHMENT

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6 Attorneys for Plaintiff
John D. Villa, Jr.

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 JOHN D. VILLA, JR.,

11 Plaintiff,

12 vs.

13 LINDA ROWE, et al.,

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No.: C 07-01436 WHA

JOINT EXHIBIT LIST

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Reserved			
	Eight-page document titled "Declaration of Linda Rowe, M.D. in Support of Motion for Summary Judgment"			
	Fifteen-page document titled "Order Granting in Part and Denying in Part Defendants' Motion for Summary Judgment; Granting Motion for Appointment of Counsel; Referring Case to Federal Pro Bono Project			
	Multiple pages of medical records			
	Four-page PDR package insert for Lipid			
	Four-page PDR package insert for Lipitor			
	Five-page PDR package insert for Mevacor			
	Five-page PDR package insert for Niaspan			
	Seven-page PDR package insert for Zocor			
	Reserved			
	Reserved			
	Reserved			
	Reserved			
	Reserved			
	Physician's Orders dated 7/19/05 by Dr. Sayre			
	Inmate/Parolee Appeal Form dated October 2, 2005			
	Medication Administration Record			
	Exhibit A to appear dated 6/20/06			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Exhibit B to Amended Complaint			
	Reserved			
	Reserved			
	Reserved			
	Reserved			
	Reserved			
	"Amended Complaint Jury Trial Demanded"			
	Five-page document titled "Order of Service After Amendment"			
	Three-page document titled "Request for Representation (inmate and Parolee Lawsuits) Inmate John Villa, J-38001, USDC ND CV07-01436 WHA"			
	Three-page document titled "AACE Lipid Guidelines, Endocr. Pract. 2000;6 (No.2)"; "Table 8"			
	Two-page document titled "AACE Lipid Guidelines, Endocr. Pract. 2000;6 (No. 2)"; "Table S-2"			
	Four pages of medical records, the first page is handwritten notes on a form titled "Physician's Progress Notes" (JV0405, JV0072, JV0065, JV0643)			
	Two pages of documents on forms titled "Cardiovascular Chronic Care Intake Evaluation" (JV0490-491)			
	Photocopy of handwritten complaint entitled John Daniel Villa, Jr. v. Linda Rowe, et al.; 57 pages			
	Photocopy of Pelican Bay State Prison Patient Care Services			

No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Staffing Overview and accompanying policies; 45 pages			
	Photocopy of Outpatient Interdisciplinary Progress Notes Cardiovascular Chronic Care Visit and other medical records for John Villa; 36 pages			
	Photocopy of Health Care Services Request Form for John Villa and accompanying documents; 66 pages			
	Reserved			
	Twelve-page document from the Website of Noah, Inc.			
	Thirteen-page document, the first page is titled "Exhibits Supporting Correctional Expert's Report Re Clinical Staffing," in the Plata, et al., v. Schwarzenegger, et al., case			
	Eighteen-page document titled "Declaration of Linda Rowe, M.D., in Support of Defendants' Motion for Summary Judgment as to Plaintiff's Supplemental Complaint," in the Ashker v. Horel, et al., case			
	Five-page document, the first page is title "Declaration of Linda Rowe in Support of Defendants City of Paso Robles, Jerry Bankston, Richard Ramirez, James App, and Roger Picquet's Motion for Summary Judgment," in the Kleinhammer v. City of Paso Robles, et al., case			
	Three-page document titled "Declaration of Defendant Dr. Rowe in Support of Defendants' Motion for Summary of Judgment," in the Gomez v. Doctor Merle Sogge, et al., case			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Five-page document titled "Declaration of Defendant Rowe in Support of Defendants' Motion for Summary Judgment," in the <i>Grajeda v. Horel, et al.</i> , case			
	Multipage document titled "Operations Manual"; Chapter 9, "Health Care Services"			
	Eighteen-page document titled "Chapter 1 Health Care Services Staffing Overview Pelican Bay State Prison"			
	Multipage document titled The American Association of Clinical Endocrinologists Medical Guidelines for Clinical Practice for the Diagnosis and Treatment of Dyslipidemia and Prevention of Atherogenesis 2002 Amended Version"			
	Plaintiff's California Department of Corrections File			
	Plaintiff's medical records as created and maintained by Defendants			
	Stipulation entered in <i>Marciano Plata et al., Plaintiffs, V. Gray Davis, et al.</i> , No. C-01-1351;			
	Order to Show Cause re Civil contempt and Appointment of Interim Receiver in <i>Plata v. Schwarzenegger</i> , No. C-01-1351 The Legislative Analyst's Office, February 22, 1995			
	Department of Corrections (5240) – Inmate Legal and Medical Issued Legal Challenges to Prison Conditions Could Have Major Fiscal Effect, Legislative Analyst's Office February 22, 1995			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Opinion of the United States Court Of Appeals, For The Ninth Circuit In <i>Marciano Plata; Ralph Coleman, Plaintiffs-Appellees, J. Clark Kelso, Receiver, v. Arnold Schwarzenegger, Governor; Michael Genest; James E. Tilton, Defendants-Appellants</i> . Appeal from The United States District Court for the Northern District of California as well as all pleadings and documents filed with the Court of Appeals and with the District Court			
	Federal Receiver's Fourteenth Tri-Annual Report, 05/15/10 achieving a Constitutional Level of Medical Care In California's Prison Turnaround Plan of Action together with all exhibits, as well as the preceding 13 Tri-Annual Reports, specifically those that coincide with the time that Plaintiff was incarcerated at Pelican Bay			
	<i>Alejandro Madrid, et al., v. James Gomez, Director, California Department of Corrections, et al., Defendants</i> , 889 F.Supp. 1146 (1995)			
	<i>Alejandro Madrid, et al., Plaintiffs, v. Jeanne Woodford, et al., Defendants</i> , No.90-304-T.E.H., Special Master's Final Report Re Department of Corrections' Post Powers Investigations and Employee Discipline dated June 24, 2004			
	<i>Madrid, et al., v. Jeanne Woodford, et al., Director, California Department of Corrections, et al., Defendants</i> , 2004 WL 2623924 (N.D. Cal.			

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	2004)			
	<i>Marciano Plata, et al., v. Arnold Schwarzenegger, et al.</i> , No. C01-1351 TEH, Class Action, Findings of Fact and Conclusions of Law Re Appointment of Receiver dated October 3, 2005			
	<i>Marciano Plata, et al., v. Arnold Schwarzenegger</i> , No. C01-01351 TEH, Order Appointing Court Expert dated October 3, 2005			
	<i>Alejandro Madrid, et al., v. James Tilton, et al.</i> , No. C90-3094 TEH, Class Action, Order Re Special Master's Report and Recommendation to Cease Health Services Monitoring at Pelican Bay State Prison dated May 23, 2008			
	<i>Ralph Coleman, et al., Plaintiffs, vs. Arnold Schwarzenegger, et al., Defendants</i> , No.: Civ S 90-0520 LKK-JFM P, Three-Judge Court, No. C01-1351 TEH, Three-Judge Court, Expert Report of Professor Craig Haney dated October 30, 2008			
	<i>Ralph Coleman, et al. v. Arnold Schwarzenegger</i> , No.: Civ S 90-0520 LKK-JFM-P, Three-Judge Court, No. C01-1351 TEH, Three-Judge Court, Expert Report of James Gilligan, M.D. dated October 30, 2008			
	<i>Coleman v. Schwarzenegger, et al.</i> , No. Civ. S-90-0520 LKK, <i>Plata v. Schwarzenegger, et al.</i> , No. C01-1351 T.E.H., August 27, 2008, Report of Arthur Reingold, MD			
	<i>Coleman v. Schwarzenegger, et al.</i> , No. Civ S-90-0520 LKK,			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	<i>Plata v. Schwarzenegger, et al.</i> , No. C01-1351 T.E.H., Report of Ronal Shansky, M.D., November 9, 2007			
	<i>Frank Esqueda, California Correctional Supervisor's Organization, Petitioners, v. Department of Corrections and Rehabilitation</i> , Case No. 308-cv-02524 MHP, and <i>Alejandro Madrid, et al., on behalf of Plaintiffs, v. James E. Tilton, Director, California Department of Corrections, et al.</i> , Case No. 3:90-CV-0394 TEH, Order on Office of the Inspector General's Motion to Consider Whether Cases Should Be Related Pursuant to Local Rule 3-12 dated May 30, 2008			
	<i>Coleman, et al., v. Schwarzenegger, et al.</i> , 2008 WL 4415324 (N.D. Cal. 2008)			
	Achieving a Constitutional Level of Medical Care in California's Prisons, Federal Receiver's Turnaround Plan of Action, Monthly Report, October 2008			
	Achieving a Constitutional Level of Medical Care in California's Prisons, Federal Receiver's Turnaround Plan of Action, Monthly Report, November 2008			
	<i>Marciano Plata, et al., v. Arnold Schwarzenegger</i> , Case No. C01-1351 TEH, Receiver and State Personnel Board's Further Joint Status Report Re Physician Clinical Competency Determination Policies and Procedures dated November 21, 2009			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Achieving a Constitutional Level of Medical Care in California's Prisons, Federal Receiver's Turnaround Plan of Action, Monthly Report, December 2008			
	<i>Plata, et al., v. Schwarzenegger, et al.</i> , C01-1351 TEH, 2009 WL 2997412, September 16, 2009			
	Title 15, Article 8 Department of Corrections and Rehabilitation Sections 3350-3359			
	Chronic Care Program within the PBSP Health Care Policies and Procedures			
	Special Master's Draft Report and Recommendations Re Supplemental MPIMS Related Staffing at Pelican Bay State Prison. John Hagar, December 5, 2005			
	Review of the Madrid Pelican Bay Information Management System (MPIMS) Program. Justin Graham, July 14, 2006			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	The Status of Health Care Delivery Services in CDCR Facilities. Plata Medical Experts, April 15, 2006			
	Quality Management Assistance Team Reports. CDCR, 2005			
	Findings of Fact and Conclusions of Law Re Appointment of Receiver. Judge Thelton E Henderson, October 3, 2005			
	Correctional Expert's Report Re Clinical Staffing. John Hagar, November 14, 2005			
	Medical Care Court Order of December 1, 2005, Status Reports. CDCR, January-December 2006			
	Analysis of CDCR Death Reviews 2006. Kent Imai, August 20, 2007			
	Bimonthly and Quarterly Reports. The Receiver, 2006-2007			
	Plan of Action. The Receiver, November 2007			
	Medical Inspection Results. Bureau of Audits and Investigations, Office of the Inspector General, 2008-2011			
	Summary and Analysis of the First 17 Medical Inspections of California Prisons. Bureau of Audits and Investigations, Office of the Inspector General, August 2010			
	Pelican Bay State Prison (PBSP) Chronic care guidelines			
	Deposition of Bhawna Jain, M.D. February 16, 2011			
	Deposition of Linda Rowe, M.D. February 18, 2011 and March 31, 2011			

No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Deposition of Jennifer Swiney. February 23, 2011			
	Judge Alsup's Order. In this case dated December 9, 2009			

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No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	Chatzizisis YS. et al. Risk Factors and Drug Interactions Predisposing to Statin-Induced Myopathy: Implications for Risk Assessment, Prevention and Treatment. Drug Saf 2010; 33(3): 171-187			
	Pasternak, et a., ACC/AHA/NUBI Clinical Advisory on Statins, Journal of the American College of Cardiology, 2002:567-72			
	NIH, Third Report of the National Cholesterol Education Program, Executive Summary(2001)			
	Chatizisis, et al., Review Article, "Risk Factors and Drug Interactions Predisposing to Statin-Induced Myopathy," Drug Saf 2010:33(3)171-187 (2010)			
	Cham, et al., "Statin-Associated Muscle-Related Adverse Effects: A case Series of 354 Patients," Pharmacotherapy (30(6): 541 (2010)			
	Kashyap, et al., "Long-Term Safety and Efficacy of a Once-Daily Niacin/Lovastatin Formulation for Patients with Dyslipidemia," , Am.J. Cardio 89: 672 (2002)			
	NIH, Niacin and niacinamide (Vitamin B3)., URL of this page: <u>http://www.nlm.nih.gov/medlineplus/druginfo/natural/924.html</u>			
	and cited referencees			
	Declaration of Linda Rowe dated April 29, 2011			
	Declaration of Bhawna Jain dated			

No. of Exhibit	Description	Date Identified	Date Admitted	Limitations of Use
	dated April 7, 2011			
	Declaration of Jennifer Swiney dated April 7, 2011			
	Declaration of Harlan Watkins dated April 11, 2011			
	Statement of Harlan Watkins dated April 14, 2011			
	Report of Harlan Watkins dated April 15, 2011			
	Deposition of Harlan Watkins dated May 4, 2011			

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